

REQUEST TO AMEND AN ORDINANCE THAT DEDICATED PUBLIC RIGHT-OF-WAY

*****This is a unique ordinance request. Please see summary below*****

TO: Caroline Martin, City Attorney's Office

FROM: Matt Bryner, P.E. Senior Engineering Manager
Right-of-Way Services

DATE: November 15, 2017

ROW #:2017-Dedication-0000188 **SCHEDULE #:** 257-EX

TITLE: This request is to amend a portion of an existing Dedication Ordinance No. 3, Series of 1962
Located near 17th St and Valley Highway (aka Interstate-25)

SUMMARY: This request is to amend, and remove a portion of the description of Unit 3 in Ordinance No. 3, Series of 1962. The section to be removed from the referenced Ordinance is described by the legal description below.

It is requested that the above subject item be placed on the Mayor-Council Agenda for the next available date.

Therefore, you are requested to initiate Council action to amend the dedication Ordinance. The land to be removed from the ordinance is described as follows:

INSERT PARCEL DESCRIPTION ROW (2017-DEDICATION-0000188) HERE.

A map of the area to be dedicated is attached.

MB/vw

c: Asset Management, Steve Wirth
City Councilperson & Aides, Dist # 1, Espinoza
City Council Office, Zach Rothmier
Environmental Services, David Erickson
Public Works, Manager's Office, Alba Castro
Public Works, Manager's Office, Angela Casias
Public Works, Right-of-way Engineering Services, Matt Bryner
Department of Law, Brent Eisen
Department of Law, Shaun Sullivan
Department of Law, Caroline Martin
Public Works Survey, Warren Ruby
Public Works Survey, Paul Rogalla

ORDINANCE/RESOLUTION REQUEST

Please email requests to Angela Casias
at angela.casias@DenverGov.org by **12:00 pm on Monday**.

****All fields must be completed.****

Incomplete request forms will be returned to sender which may cause a delay in processing.

Date of Request: October 9, 2017

Please mark one: Bill Request or Resolution Request

1. Has your agency submitted this request in the last 12 months?

Yes No

If yes, please explain:

2. Title: *(Include a concise, one sentence description – please include name of company or contractor and contract control number - that clearly indicates the type of request: **grant acceptance, contract execution, contract amendment, municipal code change, supplemental request, etc.**)*

This request is to amend a portion of the legal description of Ordinance No. 3, Series of 1962, located near 17th Street and Interstate-25 (f/k/a the Valley Highway) to remove a portion of the legal description set forth in the Dedication of Valley Highway, Unit 3.

3. Requesting Agency: PW Right of Way Services
Agency Division: Engineering, Regulatory & Analytics

4. Contact Person: *(With actual knowledge of proposed ordinance/resolution.)*

- **Name:** Warren Ruby
- **Phone:** 720-865-3046
- **Email:** warren.ruby@denvergov.org

- **Name:** Vanessa West
- **Phone:** 720-913-0719
- **Email:** Vanessa.west@denvergov.org

5. Contact Person: *(With actual knowledge of proposed ordinance/resolution who will present the item at Mayor-Council and who will be available for first and second reading, if necessary.)*

- **Name:** Angela Casias
- **Phone:** 720-913-8529
- **Email:** angela.casias@denvergov.org

6. General description/background of proposed ordinance including contract scope of work if applicable:

This request is to amend a portion of the legal description of Ordinance No. 3, Series of 1962, located near 17th Street and Interstate-25 (f/k/a the Valley Highway) to remove a portion of the legal description set forth in the Dedication of Valley Highway, Unit 3.

*****Please complete the following fields:*** *(Incomplete fields may result in a delay in processing. If a field is not applicable, please enter N/A for that field – please do not leave blank.)*

- a. **Contract Control Number:** N/A
- b. **Contract Term:** N/A
- c. **Location:** 17th St and Valley Highway (aka Interstate 25)
- d. **Affected Council District:** Dist # 1, Espinoza
- e. **Benefits:** N/A
- f. **Contract Amount (indicate amended amount and new contract total):** N/A

To be completed by Mayor's Legislative Team:

SIRE Tracking Number: _____

Date Entered: _____

7. Is there any controversy surrounding this ordinance? (Groups or individuals who may have concerns about it?) Please explain.

None

To be completed by Mayor's Legislative Team:

SIRE Tracking Number: _____

Date Entered: _____

DEDICATION EXECUTIVE SUMMARY

Project Title: 2017-Dedication-0000188 – 17th St and Valley Highway (aka Interstate 25) - 1701 Platte

Owner name: CCD

Description of Proposed Project: This request is to amend, and remove a portion of the description of Unit 3 in Ordinance No. 3, Series of 1962. The section to be removed from the referenced Ordinance is described by the legal description below.

Explanation of why the public right-of-way must be utilized to accomplish the proposed project: This is to remove a portion of the Right of Way originally intended for use by the State of Colorado for the Valley Highway, but was never utilized as a public road.

Total square feet of area: 62,601

Number of buildings abut said area: 0

Background: Through a 1955 IGA with the State, Denver acquired land to be used as part of the Interstate-25 (Valley Highway) and was subsequently dedicated as public right of way. It was never used and the State Transportation Commission consented to dispose of the property at its September 21, 2017 board meeting. Please refer to Warren Ruby or Matt Bryner for any additional information.

Location Map: Please see below

Location Map:

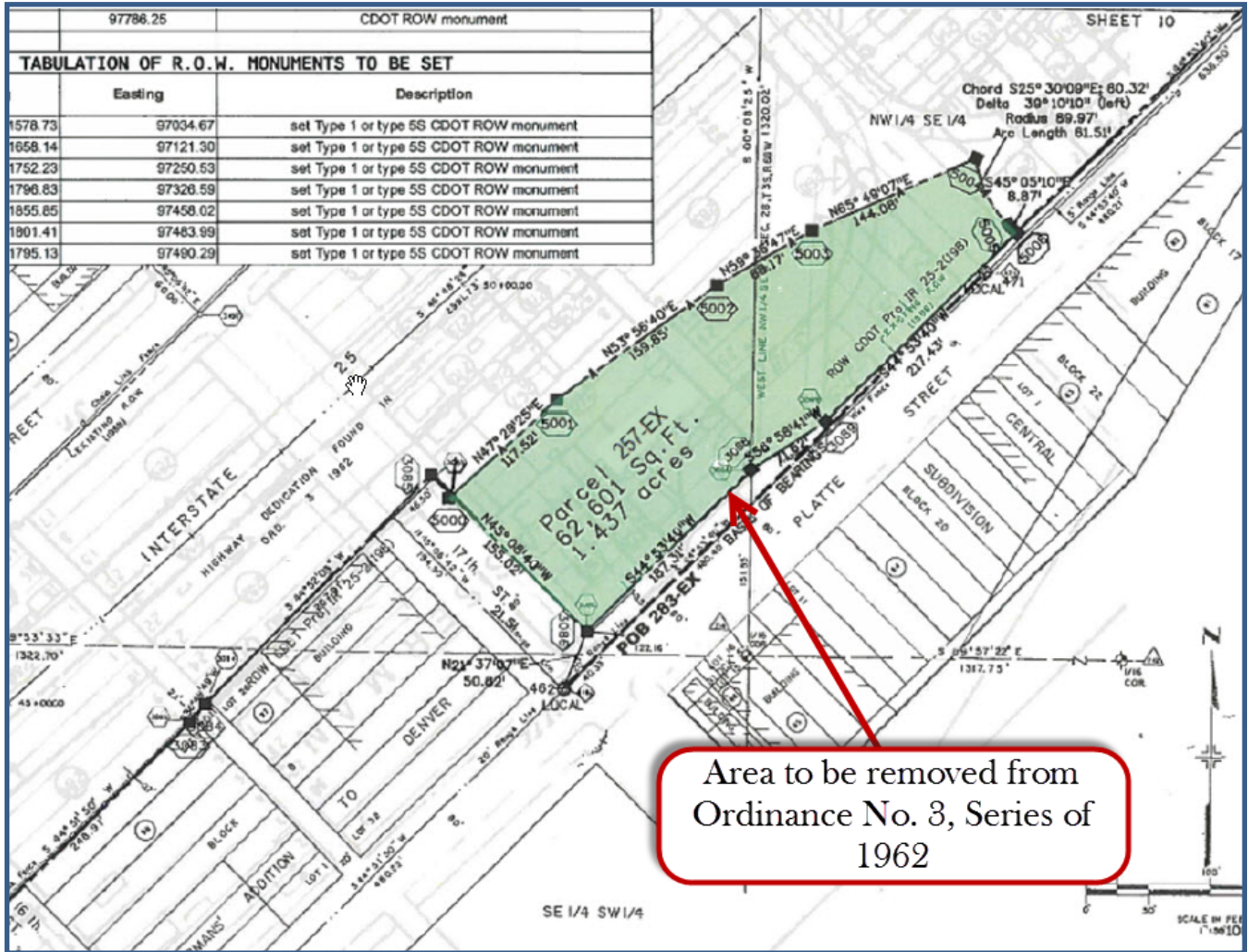


EXHIBIT "A"**PROJECT NUMBER: UI 002-2(8)****PARCEL NUMBER: 257-EX****DATE: September 15, 2017****DESCRIPTION**

A parcel of land No. 257-EX of the Department of Transportation, State of Colorado Project No. UI 002-2(8), containing 62,601 sq. ft. (1.437 acres), more or less, in the South ½ of Section 28, Township 3 South, Range 68 West, of the 6th Principal Meridian, in City and County of Denver, Colorado, being more particularly described as follows:

Commencing at the intersection of the 20 foot range line in Platte Street and the 21.5 foot range line of 17th Street;

Thence N. 21°37'07" E., 50.62 feet, to a point being the intersection of a line 46.50 feet northeasterly and parallel with said 21.5 foot range line in 17th Street, and a line 20.0 feet northwesterly and parallel with said 20 foot range line in Platte Street, said point also being an angle point of the Valley Highway Right of Way Ordinance Number 3, series 1962, depicted on the Plat of Kasserman's Addition to the City and County of Denver, and the southeasterly Right of Way line of I-25 as shown on the Right of Way plans for CDOT Project Numbers UI-002-2(8) and IR 25-2(198), said point also being the POINT OF BEGINNING;

1. Thence N. 45°08'40" W., a distance of 155.02 feet, coincident with said Valley Highway and southeasterly I-25 Right of Way line;
2. Thence departing said Right of Way line, N. 47°29'25" E., a distance of 117.52 feet;
3. Thence N. 53°56'40" E., a distance of 159.85 feet;
4. Thence N. 59°36'47" E., a distance of 88.17 feet;
5. Thence N. 65°49'07" E., a distance of 144.08 feet;
6. Thence on the arc of a non-tangent curve to the left, having a radius of 89.97 feet, a central angle of 39°10'10", and a distance of 61.51 feet, (with a chord bearing S. 25°30'09" E., a distance of 60.32 feet);
7. Thence S. 45°05'10" E., a distance of 8.87 feet, to a point lying on the aforementioned Valley Highway and southeasterly I-25 Right of Way line, also being a line 5 feet northwesterly of the 20 foot range line in Platte Street;

Thence coincident with said Right of Way line the following 3 courses;

8. Thence S. 44°53'40" W., a distance of 217.43 feet;

9. Thence S. $56^{\circ}58'41''$ W., a distance of 71.62 feet;

10. Thence S. $44^{\circ}53'40''$ W., a distance of 187.31 feet, more or less, to the TRUE POINT OF BEGINNING.

The above described parcel contains 62,601 sq. ft. (1.437 acres), more or less.

Basis of Bearings: All bearings are based on a 20.0 foot range line between two points in Platte Street, bearing S. $44^{\circ}53'40''$ W., with a record distance of 480.40 feet as shown on the Right of Way plans for CDOT Project Number IR 25-2(198).

Prepared for the Colorado Department of Transportation by:

Kathryn Lyon, PLS-II

Region 1 Central Unit

Right of Way Plans /Survey Coordinator

2000 South Holly

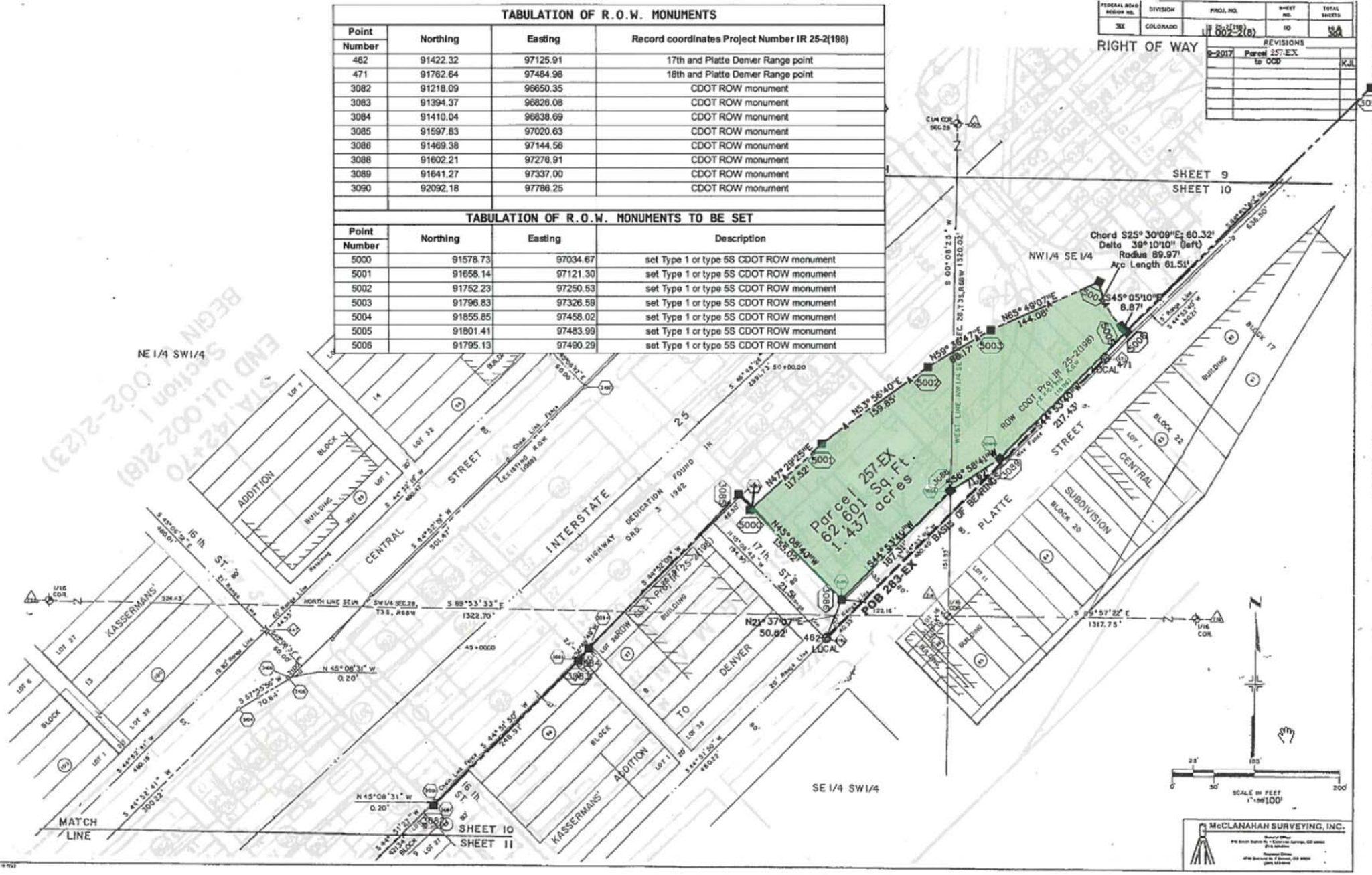
Denver, CO 80222

TABULATION OF R.O.W. MONUMENTS			
Point Number	Northing	Easting	Record coordinates Project Number IR 25-2(198)
462	91422.32	97125.91	17th and Platte Denver Range point
471	91762.64	97484.98	18th and Platte Denver Range point
3082	91218.09	96650.35	CDOT ROW monument
3083	91394.37	96826.08	CDOT ROW monument
3084	91410.04	96838.69	CDOT ROW monument
3085	91597.83	97020.63	CDOT ROW monument
3086	91469.38	97144.56	CDOT ROW monument
3088	91602.21	97278.91	CDOT ROW monument
3089	91641.27	97337.00	CDOT ROW monument
3090	92092.18	97786.25	CDOT ROW monument

TABULATION OF R.O.W. MONUMENTS TO BE SET			
Point Number	Northing	Easting	Description
5000	91578.73	97034.67	set Type 1 or type 5S CDOT ROW monument
5001	91658.14	97121.30	set Type 1 or type 5S CDOT ROW monument
5002	91752.23	97250.53	set Type 1 or type 5S CDOT ROW monument
5003	91796.83	97326.59	set Type 1 or type 5S CDOT ROW monument
5004	91855.85	97458.02	set Type 1 or type 5S CDOT ROW monument
5005	91801.41	97483.99	set Type 1 or type 5S CDOT ROW monument
5006	91795.13	97490.29	set Type 1 or type 5S CDOT ROW monument

FEDERAL ROAD DISTRICT NO.	DIVISION	PROJ. NO.	SHEET NO.	TOTAL SHEETS
3E	COLORADO	11 862-2(8)	10	184

REVISIONS		
NO.	DATE	BY
1	2017	PERIOD 257-EX
2		UP CDOT



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